

## **REMARKS**

The Applicants request entry of the Terminal Disclaimer, filed herewith, and reconsideration and allowance of the present application in view of the Terminal Disclaimer and the following remarks.

Claims 1-29 are pending and under consideration. The claims, as presented herein, reflect the amendments to the claims presented in the Amendment After Final filed on September 16, 2004, which the Examiner indicated would be entered in the Advisory Action mailed December 10, 2004.

On page 2 of the Advisory Action mailed December 10, 2004, the Examiner indicates that all rejections have been overcome, except the provisional rejection of claims 1-29 under the judicially created doctrine of obviousness-type double patenting.

No new matter is believed to have been added.

### **I. REJECTION OF CLAIMS 1-29 UNDER OBVIOUSNESS TYPE DOUBLE PATENTING.**

Applicants submit herewith a Terminal Disclaimer with respect to U.S. Patent Application Nos. 09/534,494. In view of the above, it is respectfully submitted that the rejection is overcome.

### **II. CONCLUSION.**

In accordance with the foregoing, claims 1-29 are pending and under consideration.

Applicants submit that this Amendment After Final Rejection clearly places the subject application in condition for allowance. This Amendment was not earlier presented, because Applicants believed that the prior Amendment placed the subject application in condition for allowance. Accordingly, entry of the instant Amendment as an earnest attempt to advance prosecution and reduce the number of issues is requested under 37 C.F.R. § 1.116.


There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 503333.

Respectfully submitted,

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